

Country/entity	Palestine
Region	Middle East and North Africa
Agreement name	The Fatah-Hamas Unity Agreement, Cairo
Date	3 May 2011
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Hamas-Fatah Conflict (2006 -)

In 2006, Palestine held its first round of local legislative elections wherein the long-standing incumbent, Fatah, was defeated by the Muslim Brotherhood affiliated Hamas. As the largest faction of the Palestinian Liberation Organisation (PLO), Fatah's leadership was put under pressure by the international community, who perceived Hamas as a possible threat to the Arab-Israeli peace process. As such, Fatah refused to join in the grand coalition with Hamas, and President Mahmoud Abbas began to increase his power through presidential decrees. Inside the Hamas strong-hold of Gaza, politicians on both sides were assassinated and within both Gaza and the West Bank, both sides were increasing the size and capabilities of their respective armed wings. The Presidential Guard of Mahmoud Abbas received funding, arms and training from the U.S and Israel during this time. Tensions rose further, as President Abbas called for new elections to be held in late-2006. These did not occur, and the date was shifted to mid-2007. Skirmishes broke out occasionally. On July 10, 2007, sustained clashes continued and escalated and by the end of July 15, Hamas had consolidated its military control over the Gaza Strip.

Since then several agreements have been signed between the two sides pledging to form a unity government including the 2007 Mecca Agreements; 2008 Yemeni Initiative; 2010 Cairo Agreement; April 2011 Cairo Agreement; 2012 Doha Agreement; May 2012 Cairo Accord and the 2014 Gaza Agreement.

Close
 Hamas-Fatah Conflict (2006 -)

Stage	Framework/substantive - partial
Conflict nature	Inter-group
Peace process	Palestine, Intra-Palestinian agreements
Parties	Hamas and Fatah

Third parties	Egypt
Description	"Under the auspices of Egypt, delegations from the Fatah and Hamas movements met in Cairo on April 27, 2011 to discuss the issues concerning ending the political division and the achievement of national unity. On top of the issues were some reservations related to the Palestinian National Unity Accord made in 2009."

Agreement document [PS_110427_Cairo Accords.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

**Refugees/displaced
persons** No specific mention.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 2, B. Functions of the Government
... 6. Unification of the Palestinian National Authority institutions in the West Bank, Gaza Strip and Jerusalem.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→General references

Page 2, 3. Security

It was emphasized that the formation of the Higher Security Committee which will be formed by a decree of the Palestinian President and will consist of professional officers in consensus.

Page 2, 4. Government

A. Formation of the Government:

Both Fatah and Hamas agree to form a Palestinian government and to appoint the Prime Minister and Ministers in consensus between them.

B. Functions of the Government:

1. Preparation of necessary condition for the conduction of Presidential, Legislative and the Palestinian National Council elections.
2. Supervising and addressing the prevalent issues regarding the internal Palestinian reconciliation resulting from the state of division.
3. Follow-up of the reconstruction operations in the Gaza Strip and the efforts to end the siege and blockade that is imposed on it.
4. Continuation of the implementation of the provisions of the Palestinian National Accord.
5. To resolve the civil and administrative problems that resulted from the division.
6. Unification of the Palestinian National Authority institutions in the West Bank, Gaza Strip and Jerusalem.
7. To fix the status of the associations, Non-Governmental Organizations and charities.

Elections

Page 1, 1. Elections

A. Election Committee:

Both Fatah and Hamas agree to identify the names of the members of the Central Election Commission in agreement with the Palestinian factions. This list will then be submitted to the Palestinian President who will issue a decree of the reformation of the committee.

B. Electoral Court:

Both Fatah and Hamas agree on the nomination of no more than twelve judges to be members of the Electoral Court. This list will then be submitted to the Palestinian President in order to take the necessary legal actions to form the Electoral Court in agreement with the Palestinian factions.

C. Timing of Elections:

The Legislative, Presidential, and the Palestinian National Council elections will be conducted at the same time exactly one year after the signing of the Palestinian National Reconciliation Agreement.

Page 2, B. Functions of the Government:

1. Preparation of necessary condition for the conduction of Presidential, Legislative and the Palestinian National Council elections.

Electoral commission	Page 1, 1. Elections A. Election Committee: Both Fatah and Hamas agree to identify the names of the members of the Central Election Commission in agreement with the Palestinian factions. This list will then be submitted to the Palestinian President who will issue a decree of the reformation of the committee.
Political parties reform	No specific mention.
Civil society	Page 2, B. Functions of the Government ... 7. To fix the status of the associations, Non-Governmental Organizations and charities.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	Power sharing→Political power sharing→Executive coalition State level Page 2, 4. Government A. Formation of the Government: Both Fatah and Hamas agree to form a Palestinian government and to appoint the Prime Minister and Ministers in consensus between them. Power sharing→Political power sharing→Proportionality in legislature State level Page 3, 5. Legislative Council: Both Fatah and Hamas agree to reactivate the Palestinian Legislative Council in accordance to the Basic Law.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 2, B. Functions of the Government
... 3. Follow-up of the reconstruction operations in the Gaza Strip and the efforts to end the siege and blockade that is imposed on it.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees Page 2, 3. Security
It was emphasized that the formation of the Higher Security Committee which will be formed by a decree of the Palestinian President and will consist of professional officers in consensus.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation Page 2, B. Functions of the Government:
... 2. Supervising and addressing the prevalent issues regarding the internal Palestinian reconciliation resulting from the state of division.
... 5. To resolve the civil and administrative problems that resulted from the division.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.
